



IAP6 Rec'd PCT/PTO 02 MAY 2007

PTO/SB/21 (09-06)

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TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

Filing Date

First Named Inventor

Art Unit

Examiner Name

Attorney Docket Number

## ENCLOSURES (Check all that apply)

- Fee Transmittal Form
- Fee Attached
- Amendment/Reply
  - After Final
  - Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Reply to Missing Parts/  
Incomplete Application
  - Reply to Missing Parts  
under 37 CFR 1.52 or 1.53

- Drawing(s)
- Licensing-related Papers
- Petition
- Petition to Convert to a Provisional Application
- Power of Attorney, Revocation
- Change of Correspondence Address
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- Request for Refund
- CD, Number of CD(s) \_\_\_\_\_
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## Remarks

- After Allowance Communication to TC
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Other Enclosure(s) (please identify below):  
Declaration, Check in the amount of \$130.00;  
Copy of Notice to File Missing Parts

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name **BACON & THOMAS, PLLC**

Signature

Printed name **JUSTIN J. CASSELL**Date **May 2, 2007**Reg. No. **46,205**

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you believe it should take to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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|   |                        |                               |
|---|------------------------|-------------------------------|
| U.S. APPLICATION NUMBER NO.   | FIRST NAMED APPLICANT  | ATTY. DOCKET NO.              |
| 10/575,964  | Michael Baldischweiler | BALD3012/JEK                  |
|   |                        | INTERNATIONAL APPLICATION NO. |
|   |                        | PCT/EP04/11423                |
| 23364<br>BACON & THOMAS, PLLC<br>625 SLATERS LANE<br>FOURTH FLOOR<br>ALEXANDRIA, VA 22314   | IA. FILING DATE        | PRIORITY DATE                 |
|   | 10/12/2004             | 10/15/2003                    |
| Date <u>3/23/07</u> Atty <u>JEK/JTC</u><br>Action Due <u>Missing Reg B</u><br>Deadline <u>5/23/07</u><br>Final Deadline <u>10/23/07</u><br>Based on _____ |                        |                               |
| Date Mailed: 03/21/2007   |                        |                               |

CONFIRMATION NO. 5100  
 371 FORMALITIES LETTER



\*OC000000022969861\*

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/14/2006
- English Translation of the IA filed on 04/14/2006
- Copy of the International Search Report filed on 04/14/2006
- Preliminary Amendments filed on 04/14/2006
- Oath or Declaration filed on 04/14/2006
- Request for Immediate Examination filed on 04/14/2006
- U.S. Basic National Fees filed on 04/14/2006
- Priority Documents filed on 04/14/2006



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.66(g)(1).
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

01 FC:1617 130.00 0P  
 01 FC:1617 00000032 10575964

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

**PART 1 - ATTORNEY/APPLICANT COPY**

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/575,964                  | PCT/EP04/11423                | BALD3012/JEK     |

FORM PCT/DO/EO/905 (371 Formalities Notice)